

COMMITTEE ON HUMAN SERVICES
(Standing Committee of Berkeley County Council)

Chairman: Mr. Dennis Fish, District No. 5

A meeting of the **COMMITTEE ON HUMAN SERVICES**, Standing Committee of Berkeley County Council, was held on **Monday, March 12, 2012**, at 6:37 p.m., in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

PRESENT: Chairman Dennis Fish, Council District No. 5, Committee Member Timothy J. Callanan, District No. 2; Committee Member Cathy Davis, District No. 4; Committee Member Jack H. Schurlknight, District No. 6; Committee Member Caldwell Pinckney, Jr., District No. 7. Ex-officios: Mr. Daniel W. Davis, Supervisor; Council Member Phillip Farley, District No. 1; Council Member Robert O. Call, District No. 3; Council Member Steve C. Davis, District No. 8. Ms. Nicole Ewing, County Attorney; and Ms. Catherine R. Windham, Interim Clerk to Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Fish: "I'd like to call the Committee on Human Services to order. Madam Clerk, has this meeting been properly noticed via the Freedom of Information Act?"

Ms. Windham: "Yes sir, it has."

APPROVAL OF MINUTES

October 10, 2011

Chairman Fish: "Thank you. First item on the agenda is the approval of minutes from October 10, 2011."

Committee Member Callanan: "Move for approval."

Committee Member C. Davis: "Second."

Chairman Fish: "I have a motion and a second. Are there any changes to these minutes? (No Response) All in favor signify by saying, Aye (Ayes). Opposed? (No Response). Minutes are presented as read."

It was moved by Committee Member Callanan and Committee Member C. Davis to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

Chairman Fish: "Next on the agenda is..."

- A. Mr. Jerome Tilghman, Executive Director, Ernest F. Kennedy Center, Re: Board of Director appointments.**

Mr. Tilghman: "Please accept this as a request by the Earnest E. Kennedy Center to amend its bylaws to include having the Berkeley County Council approve its Board of Directors. This is not a request for financial support. However, it is a request to help the Kennedy Center secure its full funding by the South Carolina Department of Alcohol and Drug Abuse and the Department of Health and Human Services. With the new, there was a new interpretation by the Health and Human Services that was effective July 1st that disqualified our Agency from billing particular Medicaid services. One of which is cost settling and the other is targeted case management. Their interpretation is how we currently select our Board and that we're not a Department of the County, disqualifies us for billing Medicaid for those services. The cost to the Agency per year, not being able to cost settle, is \$60,000.00 and not being able to bill for our case management services is \$45,000.00 per year; for a total loss of a \$105,000.00 effective Fiscal Year 2008-2012. Requested changes that we're asking this evening to rectify our ineligibility to bill those services are, to have the Kennedy Center have all applicants for Board Members to complete an application, have the Board have a Nominating Committee and forward those applications to Berkeley County Council. The other request we're asking is to amend the name of the Agency to the Berkeley County Council on Substance Abuse doing business as the Ernest E. Kennedy Center. And lastly, we're going through preparing for our accreditation process and we recognize we don't have a Dissolution Clause and we'd like to add a Dissolution Clause designating Berkeley County Government to receive any remaining assets if the Agency were to dissolve."

Committee Member Callanan: "Move for approval. Did we, do we have a motion and a second on this? I don't remember. No? So, I'll make a motion to approve."

Chairman Fish: "We have a motion. Is there a second?"

Committee Member Pinckney: "Second."

Chairman Fish: "Any discussion?"

Committee Member Schurlknight: "Yeah, Mr. Chairman, Mr. Tilghman, on the selection of the Board Members. What criteria, I guess what I'm asking is, like our Planning Commission, because one from each one of our districts. Some of the Commissions, they're all At Large."

Mr. Tilghman: "Right."

Committee Member Schurlknight: "What kind of criteria will y'all be using as far as the selection process or what are y'all using then?"

Mr. Tilghman: "We're trying to represent the County."

Committee Member Schurlknight: "Right."

Mr. Tilghman: "And we're currently in the process of mapping out current Board Members by the County that they're in and we're trying to represent all of Berkeley County in

addition to having the Board Member itself, review all of those applications. So, some of that we're kind of still developing the process, but we're trying to represent the entire County; so, from Goose Creek up to St. Stephens. We're trying to represent the entire County."

Committee Member Schurlknight: "Right, exactly. Good."

Mr. Tilghman: "Yes."

Committee Member Callanan: "Mr. Chairman?"

Chairman Fish: "Mr. Callanan?"

Committee Member Callanan: "The, so we're talking about eight Board Members I would assume?"

Mr. Tilghman: "Nine. I believe it's nine. It's gonna be nine."

Committee Member Callanan: "Do you have, currently have nine?"

Mr. Tilghman: "Currently have seven. We lost two last year."

Committee Member Callanan: "Because most boards are eight. I don't know if that makes a difference. The thing, can I tell you what worries me is, I look at the Mental Health Board and I see vacancies there that sit for years and years and what worries me is having a Board too big that you just have all of these vacant positions. So, if I could make a recommendation, I'd probably stick with eight."

Mr. Tilghman: "Stick with eight?"

Committee Member Callanan: "But, and you already have, whoever the six are just going to have to apply through the existing system that we have. So, this way everyone will just wait until we get those names from you to determine how many vacancies we have and to ask around."

Mr. Tilghman: "Ok."

Chairman Fish: "Jerome, my question is that you've lost a lot of funding. How are you making this funding up now? What are you anticipating or how are you going?"

Mr. Tilghman: "We're currently; we have been able to bill additional services in other areas to make up the loss. We've also been able to make up the loss with our mini bottle revenue in addition to some cuts. We've actually closed...we had another office in the Goose Creek area that we closed. We've made a lot of cuts in the last two years to cover this loss."

Chairman Fish: "My concern is, is that you primarily work with juveniles, right?"

Mr. Tilghman: "Juveniles and adults."

Chairman Fish: "And adults?"

Mr. Tilghman: "Yes, sir. In addition, we've also added some other contracts. We also have an adult drug court. We have an adolescent drug court that we participate in. I mean, there are a lot of things we're doing to try to cover some of these losses. With the targeted case management specifically, we're now in the process of getting the three case managers certified so they can bill other services to make up the loss we've suffered this year."

Chairman Fish: "One of my current concerns is item number three. It almost looks like a defeatist attitude. You're not anticipating that happening."

Mr. Tilghman: "No, sir. No, sir. We just don't have anything in place as we go through our accreditation process."

Chairman Fish: "Should it happen?"

Mr. Tilghman: "Yes, should it happen?"

Supervisor Daniel Davis: "Well, it's a requirement."

Mr. Tilghman: "It's a, yes..."

Supervisor Daniel Davis: "One of the Agency's, the funding Agency's requirement, that they have that dissolution clause."

Chairman Fish: "Most all non profits, doesn't allow, it's not owned by any individual. It has to be given to somebody else."

Mr. Tilghman: "Right."

Council Member S. Davis: "Mr. Chairman. Mr. Tilghman. Are the duties spelled out for the Board of Directors somewhere?"

Mr. Tilghman: "Yes, sir."

Council Member S. Davis: "Ok."

Mr. Tilghman: "The duties are spelled out. They're written out, as a matter of fact, they're written out and given to them once they're elected and become a new member of the Board."

Council Member S. Davis: "Ok."

Committee Member Pinckney: "Mr. Chairman?"

Chairman Fish: "Pardon me, Mr. Pinckney?"

Committee Member Pinckney: "Mr. Tilghman, did I understand you to say that it would be at the responsibility of this Council to view the perspective Board Members' applications?"

Mr. Tilghman: "Yes, sir."

Committee Member Pinckney: "Is that a part of the standard procedures for the State or do you have, can we kind of modify... and the reason I'm asking, if in fact, let's say you had 20 applicants, then you, as an Agency, would reduce it to whatever the number is. Then submit that and we'll make a decision based on what you submitted. Rather than going through all those applications. Is that something that we can..."

Mr. Tilghman: "That is."

Committee Member Pinckney: "Kind of move around?"

Mr. Tilghman: "Yes, that is an option."

County Attorney Ewing: "If I may, Kace and I have been working with Mr. Tilghman on this a little bit and I believe what they actually anticipate is that they will receive the 20 applications and they'll go through it and however many openings that they have. Say they have two, they will forward their recommendation of those two people. Say, it's Mr. Boling and Mr. Matt, up to you for you all for your approval. And they've got, they've passed out...he has a packet of information in there. I think he has a sample application that he wants to use. That we've helped him on and I don't remember if you've attached the bylaws in there too. But, he's got a set of bylaws. If they're not in there, I can forward them to you."

Mr. Tilghman: "Right there."

County Attorney Ewing: "But that's, that's the procedure that the Board, or the Kennedy Center is envisioning."

Chairman Fish: "Do you have more applicants than you have openings?"

Mr. Tilghman: "This will actually be a new process. So, this we've just approved, our Board just approved this process and will be starting this..."

Chairman Fish: "I think maybe like Mr. Callanan talked about. If you've got some extras left over, we might pass them on to the Disabilities Board. We do need some help in that area with people of that background."

Mr. Tilghman: "Ok."

Chairman Fish: "Just hopefully we could do that. Do you want to deal with this on three different amendments or do it all with one amendment, these changes?"

County Attorney Ewing: "What would have to happen, there is an ordinance that addresses the Kennedy Center in designating them as the Drug and Alcohol Abuse Treatment Center in the County. We will have to amend that ordinance. So, if Council approves these recommendations we'll just wrap it up and put ordinance. Have that for First Reading at the end of the month and then so on."

Chairman Fish: "Ok, is there any other questions or comments? (No Response) All in favor of adopting this motion to have these recommended changes? (Ayes). All opposed? (No Response). Motion carries. Thank you."

It was moved by Committee Member Callanan and seconded by Committee Member Pinckney to **approve** Mr. Jerome Tilghman's recommended changes prior to adoption of an ordinance regarding the Ernest E. Kennedy Center. The motion passed by unanimous voice vote of the Committee.

Mr. Tilghman: "Thank you."

Committee Member Callanan: "I make a motion to adjourn."

Committee Member Schurlknight: "Second."

I've got a motion and a second. Is there any discussion? (No Response) No, on discussion...All in favor signify by saying, Aye? (Ayes). We're adjourned."

It was moved by Committee Member Callanan and seconded by Committee Member Schurlknight to **adjourn** the Committee on Human Services. The motion passed by unanimous voice vote of the Committee.

The meeting on Human Services ended at 6:46 p.m.

April 9, 2012

Date Approved

COMMITTEE ON HUMAN SERVICES
(Standing Committee of Berkeley County Council)

Chairman: Mr. Dennis Fish, District No. 5

Members: Mr. Timothy J. Callanan, District No. 2
Mrs. Cathy Davis, District No. 4
Mr. Jack H. Schurlknight, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7

Mr. Phillip Farley, District No. 1, ex officio
Mr. Robert O. Call, District No. 3, ex officio
Mr. Steve C. Davis, District No. 8, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON HUMAN SERVICES**, Standing Committee of Berkeley County Council, will be held **Monday, March 12, 2012, at 6:04 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

AGENDA

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

APPROVAL OF MINUTES:

October 10, 2011

- A. **Mr. Jerome Tilghman, Executive Director, Ernest F. Kennedy Center, Re:** Board of Director appointments.

March 7, 2012
S/Catherine R. Windham
Interim Clerk of County Council